

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:20-CV-00203-FDW-DCK**

**SOUTHEASTERN PUBLIC SAFETY
GROUP INC.,**

Plaintiff,

v.

**RANDY MUNN, NORTH CAROLINA
CRIMINAL JUSTICE EDUCATION AND
TRAINING STANDARDS
COMMISSION, RICHARD SQUIRES,
CHRISTY THAXTON, ADAM TRANUM,
CAPITAL SPECIAL POLICE, LLC,**

Defendants.


ORDER

THIS MATTER is before the Court upon the Fourth Circuit’s unpublished opinion, (Doc. No. 66), affirming in part, vacating in part, and remanding for further proceedings this Court’s Order granting Defendants’ Motions to Dismiss, (Doc. No. 46). The Fourth Circuit affirmed this Court’s dismissal of Plaintiff’s Complaint against Defendant North Carolina Criminal Justice Education and Training Standards Commission and against Defendants Randy Munn, Richard Squires, and Christy Thaxton in their official capacities. (Doc. No. 66, p. 10.) The Fourth Circuit noted on appeal, Defendants “concede[d]” Plaintiff alleged claims against Munn, Squires, and Thaxton in their individual capacities, and “recant[ed] their contrary position before the district court.” (*Id.*, p. 5.) The Fourth Circuit vacated this Court’s judgment that Plaintiff had not sued Munn, Squires, or Thaxton in their individual capacities and remanded for this Court to evaluate and “address in the first instance [Plaintiff’s] claims against [Munn, Squires, and Thaxton] in their individual capacities.” (*Id.*, pp. 3, 5–6.)

Pursuant to the mandate of the Fourth Circuit, the Court will review the original pleadings, including the relevant Motions to Dismiss and the supporting memorandum, responses, and replies, to consider Plaintiff's claims against Munn, Squires, and Thaxton in their individual capacities. The parties are permitted, but not required, to submit supplemental briefs on this issue no later than **Friday, December 6, 2024**, not to exceed **3,500 words**. Any responses are due no later than **Friday, December 20, 2024**, not to exceed **2,500 words**. Any replies must be submitted no later than **Friday, January 3, 2025**, not to exceed **1,500 words**.

IT IS SO ORDERED.

Signed: November 13, 2024


Frank D. Whitney
United States District Judge

